

Bankruptcy Case No. 12-72971

Adversary Proceeding No. 13-07068

### CERTIFICATE OF SERVICE

I, Steve C. Taylor, certify that I am, and at all times during the service of process was, not less than  
(name)  
18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this  
summons and a copy of the complaint was made June 11, 2013 by:  
(date)

☒ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:  
See attached matrix

☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

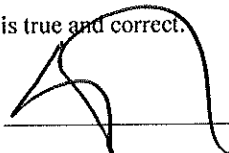
☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the  
following officer of the defendant at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_,  
as follows: [Describe briefly] (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

June 11, 2013  
Date

  
Signature

**Print Name**

Steve C. Taylor

**Business Address**

133 Mt. Pleasant Road

**City**

Chesapeake

**State**

Virginia

**Zip**

23322

**Mail Service List**

Samuel I. White, P.C., DOT Trustee  
5040 Corporate Woods Dr.  
Suite 120  
Virginia Beach, VA 23462

Michael P. Cotter  
Chapter 13 Trustee  
870 Greenbrier Circle, Suite 402  
Chesapeake, VA 23320

David Fleming  
3346 Eight Star Way  
Chesapeake, VA 23323

US Trustee  
Federal Bldg., Room 625  
200 Granby Street  
Norfolk, VA 23510

United States Bankruptcy Court  
Eastern District of Virginia  
Norfolk Division

Case Number 12-72971-FJS  
Chapter 13  
Adversary Proceeding Number 13-07068-FJS  
Judge Frank J. Santoro

In re:  
David Fleming

Debtor(s)

David Fleming

Plaintiff(s)

V.

The New York Bank of Mellon et al.

Defendant(s)

**SUMMONS AND NOTICE IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the Clerk of the Bankruptcy Court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days. **Motion or Answer is due by July 11, 2013.** If you make a motion, your time to answer is governed by Fed.R.Bankr.P. 7012.

ADDRESS OF CLERK:	William C. Redden United States Bankruptcy Court 600 Granby St., Room 400 Norfolk, VA 23510
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

NAME AND ADDRESS OF PLAINTIFF'S ATTORNEY:	Steve C. Taylor Law Offices of Steve C. Taylor, P.C. 133 Mt. Pleasant Road Chesapeake, VA 23322
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YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

ADDRESS:	Judge Santoro – Courtroom 2, U. S. Bankruptcy Court, 4th Floor, 600 Granby Street, Norfolk, VA 23510
DATE AND TIME:	7/23/13 at 01:30 PM

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Date: June 11, 2013

WILLIAM C. REDDEN, CLERK OF COURT  
By /s/ Diane Jones  
Deputy Clerk



*[Note: It is the responsibility of counsel for the plaintiff/movant to advise the Court of any settlement or any other valid reason that a Court scheduled pretrial conference, hearing or trial need not be conducted. Counsel are advised to provide the Court with such notification as far in advance of any such conference, hearing or trial as is practical under the circumstances. Failure of such counsel to properly and timely notify the Court may result in the imposition of sanctions. Local Bankruptcy Rule 9013-1(O)].*

**United States Bankruptcy Court  
Eastern District of Virginia**

Case Number 12-72971-FJS  
Chapter 13  
Adversary Proceeding Number 13-07068-FJS  
Judge Frank J. Santoro

In re: David Fleming

David Fleming

Plaintiff(s)

V.

The New York Bank of Mellon et al.

Defendant(s)

**INITIAL SCHEDULING ORDER**

1. **Discovery Meeting and Commencement of Discovery.** The attorneys and any party not represented by an attorney shall meet to formulate a discovery plan as required by F.R.Bankr.P. 7026 and F.R.Civ.P. 26(f) no later than 40 days after the issuance of the summons. The meeting may be in person or by telephone. Discovery may be commenced 40 days after the issuance of the summons, or earlier after the discovery meeting provided that the parties have agreed upon a discovery plan.

2. **Initial Pretrial Conference.** An initial pretrial conference under F.R.Bankr.P. 7016 and F.R.Civ.P. 16(a) shall be held on July 23, 2013 at 01:30 PM in Judge Santoro – Courtroom 2, U. S. Bankruptcy Court, 4th Floor, 600 Granby Street, Norfolk, VA 23510, to establish a discovery plan, set a trial date, establish various deadlines for the filing of motions and to consider any matters as provided for in F.R.Bankr.P.7016. Counsel for the parties and any party not represented by counsel must be present at the Initial Pretrial Conference unless such attendance is excused by the presiding Judge prior to the Initial Pretrial Conference.

3. **Final Pretrial Conference.** A final pretrial conference, if deemed necessary by the Court, shall be the subject of a separate order.

4. **Availability of Mediation.** The case may be assigned to mediation by joint request of the parties at any time sufficiently in advance of the scheduled trial date as to not delay the trial or by the Court at either the initial or final pretrial conference. To request mediation, the parties must submit a praecipe signed by all counsel (or by the parties themselves, if not represented by counsel) requesting referral to mediation.

5. **Service of Order by Plaintiff.** The Clerk shall provide a copy of this order to the plaintiff, who shall serve it on all defendants with the summons and complaint.

Norfolk, Virginia  
Date: June 11, 2013

**FOR THE COURT**  
William C. Redden, Clerk  
United States Bankruptcy Court  
By: Diane Jones  
Deputy Clerk

[initialNNN.jsp ver. 2/2010]

**NOTICE OF JUDGMENT OR ORDER  
ENTERED ON THE DOCKET  
June 11, 2013**